



THE ATTORNEY GENERAL OF TEXAS

AUSTIN 11, TEXAS

**WILL WILSON
ATTORNEY GENERAL**

January 24, 1962

Honorable George Preston, Chairman
Committee on Saving Taxes
House of Representatives
Austin, Texas

Opinion No. WW-1247

Re: Authority under present law to require recipients of state welfare checks and unemployment checks to work for the proportionate amount of any they receive from the State of Texas and related questions.

Dear Mr. Preston:

You have requested our opinion on the following questions:

"1. Does this Committee have the authority under the provisions of the Resolution to make recommendations to the Special Session of the Legislature now in session?

"2. Does the State have 'State' authority to require recipients of State Welfare checks and unemployment checks to work for the proportionate amount of money they receive from the State of Texas?

"3. Does Mr. John Winters, Director of the Texas Department of Public Welfare, have the authority, in the event the present Congress enacts legislation on certain recommended reforms in the present welfare program, to proceed with placing these new reforms into immediate operation, or, will this necessitate a delay until the next Regular Session of the Legislature?"

In answer to your first question, your committee was created by House Simple Resolution No. 140, First Called

Honorable George Preston, page 2. (WW-1247)

Session, 57th Legislature, which states in one of its resolving clauses that:

" . . . this Committee shall have the duty of determining any and all ways and means of reducing costs and eliminating waste and extravagances in Texas State Government operations, and determining plans of operation for the various State departments, agencies and institutions whereby State services may be most economically and efficiently rendered to the people of this State; and reporting on these and other matters relative to reducing expenses of State Government to the House of Representatives before the convening of the next Regular Session of the Legislature; . . ."

In view of the foregoing provisions you are advised that the Committee does have the authority to make recommendations to the Special Session of the Legislature now in session on the subject matter contained in House Simple Resolution No. 140.

We have carefully examined the Public Welfare Act and the Texas Unemployment Compensation Act. Nowhere in these Acts do we find any provision requiring recipients of State welfare checks or unemployment checks to work for the proportionate amount of any they receive from the State of Texas.

Your second question is therefore answered in the negative.

The answer to your third question will be dependent upon the amendments Congress enacts into law and we do not have any pending congressional Acts before us at the present time. We are therefore unable to categorically answer your third question.

S U M M A R Y

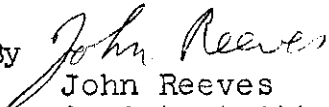
The Committee on Saving Taxes has the authority under the provisions of House Simple Resolution No. 140, First Called Session, 57th Legislature, to make recommendations to

Honorable George Preston, page 3. (WW-1247)

the Special Session of the Legislature now in session. There is no requirement in the Public Welfare Act or the Texas Unemployment Compensation Act which requires recipients of State welfare checks or unemployment checks to work for the proportionate amount of any they receive from the State of Texas.

Yours very truly,

WILL WILSON
Attorney General of Texas

By 
John Reeves
Assistant Attorney General

JR:lg:zt

APPROVED:

OPINION COMMITTEE
Howard W. Mays, Chairman

Thomas Burrus
Gordon Cass
Elmer McVey
Joe Osborn
Pat Bailey

REVIEWED FOR THE ATTORNEY GENERAL
BY: Houghton Brownlee, Jr.